

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RECEIVED
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

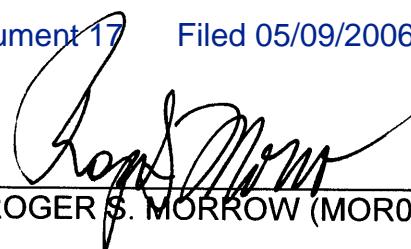
2006 MAY -9 P 4:22

AUTO-OWNERS INSURANCE)
COMPANY, a mutual insurance)
company incorporated in the)
State of Michigan,)
Plaintiff,)
v.) CIVIL ACTION NO.: 2:06-cv-123-MHT
JACK J. RUSCH, an individual; and)
BARBOUR COUNTY HISTORICAL)
PRESERVATION AUTHORITY, a)
corporation;)
Defendants.)

REQUEST FOR CLERK'S ENTRY OF DEFAULT OF
DEFENDANT, JACK J. RUSCH

COMES NOW, Plaintiff, Auto-Owners Insurance, and requests the Clerk to enter the default of Defendant, Jack J. Rusch on the grounds that Defendant, Jack J. Rusch, was personally served with the summons and complaint for declaratory relief and judgment on April 12, 2006, and more than twenty (20) days have passed since service of the summons and complaint for declaratory relief and judgment, and Defendant, Jack J. Rusch, has failed to plead or otherwise defend as provided by the *Federal Rules of Civil Procedure*. This request is made pursuant to Rule 55(a) of the *Federal Rules of Civil Procedure* and is supported by the affidavit of Joel H. Pearson, one of the attorneys for Plaintiff, which is attached hereto as Exhibit "A".

Dated this the 9th day of May, 2006.



ROGER S. MORROW (MOR032)



JOEL H. PEARSON(PEA019)
Attorneys for Plaintiff
Auto-Owners Insurance Company

OF COUNSEL:

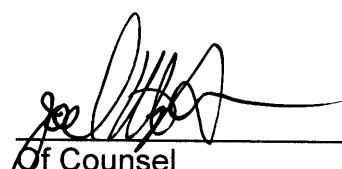
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Telephone: (334) 262-7707
Facsimile: (334) 262-7742

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing document upon the following by placing a copy of same in the United States mail, first class postage prepaid on this the 9th day of May, 2006.

Hon. Walter Calton
Calton & Rutland, LLC
P.O. Box 696
Eufaula, Alabama 36027

Mr. Jack J. Rusch
462 County Road 75
Eufaula, Alabama 36027-6409



Of Counsel